

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-HC-2096-D

THOMAS KENNETH PARADISE,)
Petitioner,)
v.)
FRANK L. PERRY and NORA HUNT,)
Respondents.)
)

ORDER

On August 3, 2018, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M&R”), and recommended granting respondents’ motion for summary judgment, [D.E. 12], and dismissing Thomas Kenneth Paradise’s (“Paradise”) 28 U.S.C. § 2254 petition as untimely and non-meritorious [D.E. 24]. Paradise responded to the M&R [D.E. 25].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

Paradise’s response does not meaningfully address the M&R. Specifically, Paradise states: “I do not have any more arguments other than what has already been presented. . . . [T]he court should go ahead and grant summary judgment” Pet’r’s Resp. [D.E. 25]. Because Paradise’s objections fail to meaningfully address the M&R, de novo review is not

required. See, e.g., Wells v. Shriners Hosp., 109 F.3d 198, 200–01 (4th Cir. 1997); Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982).

In sum, after reviewing the M&R, the record, and Paradise's response to the M&R, the court ADOPTS the conclusions in the M&R [D.E. 24], GRANTS respondents' motion for summary judgment [D.E. 12], and DISMISSES Paradise's petition. The court DENIES a certificate of appealability. See 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 336–38 (2003); Slack v. McDaniel, 529 U.S. 473, 483–84 (2000). The clerk shall close the case.

SO ORDERED. This 30 day of August 2018.

J. Dever
JAMES C. DEVER III
Chief United States District Judge